

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA KAMMEYER, et al. : **CASE NO.: C-1-01-649**
Plaintiffs, : **Judge Spiegel**
vs. :
CITY OF SHARONVILLE, OHIO, et al. : **RESPONSE OF DEFENDANT NUSS**
Defendants. : **TO MOTION TO INTERVENE**

By their motion, Northeast Insurance Company, Scottsdale Insurance Company, Folksamerica Reinsurance Company, Ohio Government Risk Management Plan and United National Insurance Company (“Movants”) seek permission to intervene “for the limited purpose of submitting jury instructions, jury interrogatories and verdict forms.” Defendant Nuss does not oppose this intervention if it is strictly limited in the manner set forth by the Movants. However, if this Court considers an increased involvement by the Movants, Defendant Nuss objects, and he requests the chance to supplement his response and be heard on this matter.

Respectfully submitted,

CRABBE, BROWN & JAMES LLP

s/Brian E. Hurley

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CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2004, a copy of the forgoing was filed electronically. Notice of this filing will be sent to all registered parties by operation of the Court's electronic filing system, and parties may access this filing through the Court's system. In addition, a copy of this Response has been sent by facsimile to legal counsel for the Movants.

s/Brian E. Hurley

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